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Intellectual Bravery

COMMENCEMENT ADDRESS

JUNE 10, 1914

BY

THOMAS RILEY MARSHALL, LL. D.

VICE PRESIDENT OF THE UNITED STATES



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HON. THOMAS RILEY MARSHALL, LL. D.
COMMENCEMENT ORATOR

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I AM here to acknowledge that I have never gotten anywhere in my life by the grace of merit alone. It has always been because somewhere scattered over the broad domain of the republic there was a great Hoosier who was willing to say or do something for any Hoosier brother of his. So my presence in this splendid auditorium this morning, on this beautiful campus, is not due to any merit of my own, but to my old time friendship for your distinguished president.

Carping Pilate asked, "What is truth?" and would not stay for an answer, with the result that twenty centuries have not been enabled to tell definitely what is the truth. And since his day nobody has been infallible, not even a young man, although youth comes nearer infallibility than any other period of life.

This is the young man's age. Failing eyesight indicates failing intellectual vigor and the failure of the power to do anything. I desire you to note that statement. I am wearing glasses myself. There is no longer any use for the old man in business life. There may be now and then an elderly minister in Maine, but nowhere else in the republic. There is a dead line which comes with failing eyesight and graying hair, and the only place in which there is use for an old man is in the profession of the law, and I think they only tolerate the old lawyer because he knows some things that it would be unpleasant for him to tell. I have no protest to make against this young men's and young women's age. I know that the automobile has taken the place of the horse, and the electric car

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has taken the place of the ox team, and I know that things are moving at a rapid pace in the world. And I have no objection to the young man's age if the young man will be willing to assume the responsibilities of the age in which he lives, and will be willing to meet and face the responsibilities of life. My own views are unimportant, absolutely unimportant, unless they meet with the approval of right-thinking men and right-thinking women everywhere. The most dangerous man in the world is the man who imagines that his personality is in and of itself of any great moment.

I want to call attention to the fact that we have three grades of citizens in the Republic that, with due deference to the opinion of other people, it seems to me might be improved upon. And if they are to be improved upon, it must be the work of the young men and the young women who are going out of the colleges and universities of America this year, and next year, and every succeeding year.

There is a grade of citizens in America that I might call hero worshippers, citizens who erect a base in their hearts, set up the statue of a mere man, and fall down and worship it. And this worship is not confined to those who have not had the advantages of an academic training, but, alas! too often the real hero worshipper of America is the bright, consummate flower of college and university training.

I may be permitted to illustrate. I know a man who is, from the standpoint of knowledge and information acquired, the peer of any person in the Republic. He has been a hero worshipper for ten years to my certain knowledge. Some two years and a half ago he wrote and had

published what seemed to me to be by far the best article that I had read opposing the new-fangled idea of the recall of the judiciary. Within six weeks after the publication of that article, a certain distinguished gentleman who has had all the honors that the American people can confer upon a man, and has taken all the honors abroad that he could carry home, announced that he believed in the recall of judicial decisions, which went the judges one better. I said to myself, this friend of mine now at last will cease his hero worshipping. But let me tell you that although he had made a convincing argument against the recall of judges, he still followed his hero and stood for the recall of judicial decisions.

Now that is a problem for the young man and the young woman of America to face with intellectual bravery, to have the courage to reason out the problem as to whether American life is going to be safe if any large number of people fall down and worship any particular man in the Republic. I would not have you understand that in making this statement I am attempting to cast any aspersions upon the great and wonderful success of an ex-president of the United States. But if anybody should fall down and worship me and follow me outside of the constitution and the laws of this Republic, I should say that he was doing his country and doing me an injustice.

There is another grade of citizens who are just quasi-hero worshippers. They are like little children. They want their doll for a little while after they get it, and then they want to rip the seam open to see the sawdust run out of the doll. It is within the common knowledge of the American people that we put Admiral Dewey upon a pedestal after the battle of Manila bay and we worshipped

him, one and all of us bowing down before him as the greatest of Americans, and some of us contributed a dollar apiece and bought him a house. He deeded his house to his wife, and then we just ripped him open and let the sawdust run out of him.

For a while so many of us approach a public man upon the theory that he is some huge colossus bestriding the earth, and we poor pygmies are to be honored if we may be but permitted to walk between his legs. For a while we look upon him as a sacred image in a sacred church and a great many of us come into the church with an incense pot in one hand and a brickbat in the other ; and for awhile we swing the censer, bow down and worship him, until suddenly this oracle announces something that does not happen to tally with our particular views, although it may be an utterance that has no moment whatever in American life, and straightaway we throw the incense pot out, shy the brickbat at him and break his clay legs—because every man in American life has clay legs if you only knew them. Down he comes from his high position, and we start out and try to put another man up in his place.

And there is the third grade of citizens that will need looking after by the young men of America. They are the people who seemingly care nothing about the condition of public affairs. If you have not gone into the statistics, let me tell you that there were more legal voters who did not cast their ballot for anybody in the election of 1912 than there were voters who cast their ballots for Woodrow Wilson. Now you may think that that is not a startling condition of affairs in American life. But when more than one-fourth of the voters of this Republic have

so little interest in their political affairs, care so little as to policies or officials, as to remain away from the polls, I beg the young men and the young women of America to give candid, careful, and earnest consideration as to the state and condition of the elector in America.

Now among all these classes, the three of them,—the blind worshipper, the iconoclast, the thoughtless and indifferent, there is a tendency, as it seems to an old man, that this government of ours and its affairs is to be a matter of impulse rather than a matter of principle about which it is possible for a brave man, if he will follow it to the end, to find the truth. I am fearful that in American life today, if Patrick Henry were to arise and attempt to make his famous oration over he would not say to the American people that he had but one lamp by which his feet were guided, and that is the lamp of experience, but quite the contrary, if he met almost the common view in public life today, and I speak from no political standpoint, because we find there are so many good Republicans who are Democrats and so many bad Democrats who are Republicans that I am slightly mixed. I say, it is this idea in American life that there is nothing in the past that is worth anything, and if Patrick Henry were to make his speech again he would say the lamp of experience proves everything that was bad, and therefore I advise you to try something new, not because the lamp of experience has taught that the new things which I advise you to take are logically provable, but upon the theory of patent medicine—if it doesn't do you any good it will not do you any harm.

I do not believe in the unrestrained will of the majority. I was a Democrat, voting the Democratic ticket too long

to believe in the unrestrained will of the majority. And I am not so sure that we are going to stay in so long that I will ever be inoculated with the virus of the unrestrained will of the majority. I do not believe that there is any better system of government than the old government in America. I believe in the checks and balances of the old system of government. While I believe in a democracy with a little d, I beg the young men and young women who are going to take charge of the national life very soon to remember that the unrestrained will of a majority is as liable to lead to evil as it is to good.

I could not believe in the great principle of "life, liberty and the pursuit of happiness," if I should yield that assent to the unrestrained will of the majority. I have myself certain inalienable rights given me by God that may not be taken away from me by written constitutions; yes, of which I may not be deprived by the determination of all the judicial tribunals in America; yea, more than that, which I myself have no right to cede away as against the rights of posterity. So that this is another problem for the young man and the young woman of America to consider, that there must not be, if this republic of ours is to endure, there must not be an unrestrained will of the majority. You can see with a moment's thought to what it might lead.

It might lead to the legalizing of the wrong and it might lead to the illegalizing of the right. And when we attempt to put our national conduct and our public conscience exclusively to the touchstone of a legislative enactment, we are far in the decline of the republic. Let no one forget the story of Ben Butler, when a young man asked him to approve his admission to the Bar of Massa-

chusetts. Butler said to him, "What do you know of the law?" He said to him, "General, I know everything there is in the statutes of the state of Massachusetts." The general said, "I can't approve your admission, young man." And he said "Why?" "The difficulty is, young man, the legislature may meet next winter and repeal all you know."

Do not take this theory that the unrestrained will of a wrong majority, which does not take into consideration the inalienable right of the individual man and the inalienable right of a composite majority in America, will be the right system of government. The senior senator from the state of New York has given the finest definition that I know of our system of government. He has said that a republican form of government is organized self-control. That is the finest definition that I have ever heard of our system of government—organized self-control.

I do not yield my assent to the doctrine that a man gives up to society, when society is formed, some of his individual rights. I do not believe it, because I do not believe that God ever made any one man who has a right to ride roughshod over the rights and the feelings and sensibilities of any other man. And so I do not believe that any organized society, in spite of the statement of all the law writers I know of and everybody else upon the subject—that men give up of their rights to society when they organize it. I do not believe they give up anything of their own when they organize society. It is simply as the senior senator from New York has said, organized self-control.

And the individual man knows that there can be no very great success for himself unless he has self-control,

unless he knows when to curb his passion, when to strike and when to run, when to speak and when to keep silent. And so society complies, and these self-controlled men are a body of organized self-controllers, of men who, banded together for the common good, know that there is a vast difference between right and power; that there is a vast difference between what a man wants to do and what a man ought to do in this world.

There can be no organized self-control if we are to have the unrestrained will of a majority without regard to the rights of a minority. If there be a single evil today—and I beg you to remember that I am expressing no opinion—a man at sixty has no right to have an opinion in this age; the only thing he has a right to do is to just call to the attention of the on-coming generation certain things, and as they want to settle them I am perfectly willing they shall settle them—tell them what they are and say to them in the language of the street, “Boys, go to it”—so that these are not opinions that I am expressing—between campaigns I express no opinion, and now and then I wish I hadn’t expressed some in campaigns. Between campaigns there are certain things that a man sees, and I think properly may be called to the attention of other people, and then call upon them to settle it.

But I want it understood that I am expressing no opinion, because I went down to New York a year ago or a little over and I announced that the American people could repeal the law with reference to the statute of descents and the law with reference to the making of wills, and could deprive them of a lot of their money down there. And do you know, I had to sit up at night keeping the papers that were bombarding me away from my door.

The statement was absolutely true, it is the law, always has been the law and always will be the law, but I was expressing no opinion upon the subject. Now I beg you to understand once again that there are no opinions expressed upon this occasion.

The difficulty with the present view of affairs is that if you can pass a majority of these laws, then you know things are all right. Why, in the villages of America when your neighbor's chickens get over into your yard, you do not go to your neighbor and say that you wish they would keep their chickens at home, you go to the common council and have them pass an ordinance providing that chickens shall not run at large, and make it the duty of the chief of police and the patrolmen in the town to arrest and impound the neighbor's chickens that are found beyond the limit. I do not suppose that twenty-four hours will go by and the discussion of any subject arises that seems to impinge on the best interests of the people of Maine but what somebody would say that there ought to be a law about it. I suppose, your Excellency, that the office of the Governor of Maine would be a delight if it were not for just two things; the people who want them to get their friends out of the penitentiary and the people who want laws passed preventing their friends from getting into the penitentiary.

In the native state of Dr. Aley and myself last year—early in this year—they had an awful strike and riot, and straightway the newspapers in this country which are of the progressive faith began to announce, look at poor old Indiana. She has no initiative, referendum, or recall, and look at what a condition of affairs Indiana is in. If she had the right kind of law, this trouble between capital

and labor would not have been possible at all and there would have been no strike in the state of Indiana.

Then there was the strike out in Colorado, the most awful scene of rapine, carnage, and murder that there has been in the Republic since the war between the states, and they discovered that in Colorado they had the initiative, referendum, and recall of judges, and recall of judicial decisions, and that great panacea for human ills for twenty-one years, women's suffrage.

I brought with me, but I am not going to weary you by reading it I left it in my grip—I have the constitution of the Republic of Mexico, and I am willing to leave it to any of the law professors of the University of Maine if it is not a document of equal literary and legal power and acumen with the constitution of the United States. It is every bit as good a document.

Now I am not discussing women's sufferage, initiative, referendum, or recall, none of these theories. I simply call your attention to what took place in the old state of Indiana. The state knew that it had solid ground upon which to place its feet, even if the state of Colorado has never failed to enact into law anything that anybody said would be good for anything they needed ; and the republic of Mexico in 57 years had 50 different rulers. I beg of the young men of America who are going to take charge of public affairs to understand and to have the intellectual bravery to trace all of these problems to their logical conclusion, and to find out for themselves what I think they will find out, that no law, nor ordinance, nor statute will make people what people ought to be who do not control themselves. Organized self control of the American people has hitherto kept them safe.

There is another thing that the young man is coming to witness in America. It is an irresistible conflict between capital and labor in this country, and it will be irresistible until it is settled in the fit and proper manner in which men should settle such questions. Take this same state of Colorado. The conflict which culminated a few months ago has been going on for 30 years, and it has been a conflict between capital on the one hand, controlled by the legislature of the State of Colorado, and labor upon the other hand, controlled by the same legislature. Sometimes one side would be in control and later the other side would be in control. They have tried for 30 years to solve the problem in Colorado by legislative enactment, and the solution has been found to be a failure. It does not accomplish its purpose, so that if we should have the unrestrained will of the majority in this republic and be ruled by legislative enactment when the mind of the people is to live, we can not help having irresistible conflict between capital and labor that will never, never end. My sympathy has always been with labor.

I do not think that a man is a tramp because he wants to be a tramp, but I think he is a tramp because has not decent clothes, and because he is dirty, and because he has no friends. The Salvation Army has proven conclusively that there is a great deal of connection between cleanliness and Godliness, because the first thing they do is to sober a man, wash him, and give him clean clothes before they seek for his soul, so that he is the average man in this republic between those capitalists with millions on one hand and comparative poverty on the other.

It is charged that the union was responsible for the strike in the State of Colorado. Now out of 14,000 of

these strikers, there were only 800 union men among them. You must not believe all that you read in the newspapers. That problem goes far deeper than the union. It goes far deeper than the immigration question, because there are 12,000 of them who cannot speak a word of English, and yet who can go to the ballot box if they choose to and kill the votes of every one of these young men, and all the friends of these young men, in the management and control of affairs in this republic, and yet there are people who say that the unrestrained will of the majority is the thing that shall shape young American life.

Now some here think that labor is right and some think that capital is right and we think that we know all about it, and we all have opinions on the subject. Now let me tell you that there are very few opinions in America at the present time. I will not mention his name, but there was a United States senator, when I had the honor to preside over that august body, who rose and said that he knew nothing about the subject, but that he desired to express an opinion about it, and he talked thirty minutes. It would be impertinent of me to say that neither his talk nor his opinion amounted to anything. We think we have opinions when as a matter of fact we have only prejudices. The paper that speaks well of me is a great moulder of public opinion, but the paper that rips me up the back and throws salt in is a yellow journal. We take up a paper and read the headlines in the different papers and we say that we have an opinion. Two or three years ago there was a lady doctor found dead in her bed in Indianapolis. I took up a morning paper and read that Dr. Helen Knabe was murdered. Other papers said that she had committed suicide. One local man reviewed the facts in

the Helen Knabe case for the newspapers and he wound up his statement in this way: "Thus we see from the facts in this case that Dr. Helen Knabe was either murdered or committed suicide."

We have laws against usury in many of the states and in many cases these laws are favored by the usurers as it means the protection of the man who has money to lend. They claim it is a safeguard against temptation. It is like the law of prohibition in the state of Maine. It is a safeguard against temptation.

Now let me give a few figures in regard to labor. In 1850, the proportion between labor and capital in America at that time was one-fourth to labor and three-fourths to capital. Now read your history of the times and find out whether or not this is so. In 1850 we had a peaceful, contented, happy people. There were no disturbances between the rich man and the laboring man and there was no millionaire. He came in with the boll weevil and the gypsy moth. He was an evolution. Now take 1910. In sixty years capital gets more than four-fifths on everything that is made in America, but the laborer gets less than one-fifth. I am not expressing any opinion on the subject.

If you read the testimony before the industrial commission given by the head of the I. W. W. less than three weeks ago in the city of New York, you know that he said if it were necessary to destroy a factory in order to accomplish their purpose, well and good, that if it was necessary to kill and murder to accomplish their purpose, well and good. A hundred thousand of them, young gentlemen, were going to take charge of the public affairs in America. One hundred thousand were growing every

year. This is a problem that deserves your honest and active consideration and a problem that you must face and properly settle.

Now there is another question that confronts you young men, that of state's rights. We all believe in state's rights; that is, we all believe in state's rights whenever somebody wants to do something that we do not want done. I doubt whether there is a public man in America today who will back the principle and in the face of every condition stand by that principle. I am not saying that I would.

We object to the centralization of everything in Washington theoretically, but when we want a portion of the agricultural appropriation in order to teach the young men how to farm we call on the national treasury to get the money.

I have known four men. I do not mean that I have not known more than four men, but I have known four men and there is a vast deal of difference between knowing men and knowing about them. It is not as troublesome to know about a man, but it is a difficult thing to know him. One of these was a young man. He weighs 225 pounds. He is a fine specimen of physical manhood. He is the greatest football player that I know of in America, but he has never made the team. I am going to tell you what he said about it. He said he would not play because he was afraid that with his great strength he would hurt somebody.

The second man I know was of the tribe of Judah. He brought his green trunk across the gang plank at Castle Garden about 1825 and went into the wilds of Indiana; carried a pack on his back from place to place; later, he became a storekeeper, and finally a banker. For a while

I was his confidential attorney in the closing up of his business transactions. One day a man told him that his agent had misrepresented the facts to him in closing a deal. There was no defense. There was \$5,000 profit in it for my Hebrew friend. I told him there was no defense of a contract. He said: "Write a release. I have lived 60 years in this community and I do not know of a man who ever begrimed me my money or whoever accused me of getting a dollar that did not belong to me." He is dead now. I wrote his children a letter of condolence, but it had nothing to do with his wealth; it had to do with the white soul that has gone to God.

The third man that I knew was an office holder. He discovered that certain fees to the state it had been the custom of his predecessors to use for political purposes. There was no law against such a use and there was no law stating the funds should go into the state treasury. He turned the money into the state treasury.

The fourth man that I knew was a manufacturer. He reached the conclusion, not being of my Presbyterian faith, that "in Adam's fall, we sinned all," and that "the grapes which the fathers eat set the children's teeth on edge." He reached the conclusion that it did not seem right that one man should receive a reward for the fortunate enterprise of his flock and another should be punished for the poverty of his flock. He was one who had been rewarded for his fortune. He then went into a profit sharing proposition with his employes. They have no strikes and the business is carried on with peace and harmony. These four men I have named are worthy of honor.

May God help the University of Maine to keep from its rolls of alumni any man who is not brave enough to do right.

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PRESTON HUSSEY MARTIN (Horticulture).....	Fort Fairfield
WILLIAM COLLINS MONAHAN (Agronomy).....	South Framingham, Mass.
PAUL WHEELER MONOHON (Agronomy)	Biddeford
WILSON MONTGOMERY MORSE (Animal Husbandry).....	Waterford
SIDNEY WINFIELD PATTERSON (Dairy Husbandry).....	Winslow
ROY WILLIAM PEASLEE (Agronomy).....	Randolph
WOODBURY FREEMAN PRIDE (Horticulture).....	Auburn
EUGENIA RODICK (Home Economics).....	Bar Harbor
NEIL CARPENTER SHERWOOD (Animal Husbandry).....	Cherryfield
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ROLAND EARLE STEVENS (Biology).....	Belfast
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CARROL CLAIR JONES (Economics).....	Solon
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ERNEST LEROY GOODSPED (A. B., Bowdoin College, 1909).....	Randolph
CLYFTON HEWES.....	Saco
CHARLES EDWARD LEONARD.....	Haverhill, Mass.
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GLADYS MADELINE NILES.....	Bangor
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ARTHUR WILLIS PATTERSON.....	Castine
HARVEY ROSCOE PEASE.....	Cornish
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MARK PENDLETON (Electrical Engineering).....	Islesboro
WILFRED BROWN PICKARD (Civil Engineering).....	Hopedale, Mass.
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GERALD ARLESTER ROUNDS (Civil Engineering).....	Portland
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PHILIP WEBB THOMAS (Civil Engineering).....	Portland
CHARLES HERBERT TIPPING (Mechanical Engineering).....	Claremont, N. H.
GUY RAYMOND WESCOTT (Civil Engineering).....	Rumford
MAX LINCOLN WILDER (Civil Engineering).....	Augusta
SHERWOOD HOWE WILLARD (Electrical Engineering).....	Greenfield, Mass.
FREDERICK SHAW YOUNGS (Civil Engineering).....	Bangor

PHARMACEUTICAL CHEMIST

ARTHUR GEORGE BALDWIN.....	Reading, Mass.
FRANCIS EDWARD FORTIER.....	Orono
THOMAS AUGUSTINE LYNCH.....	Bangor
PAUL OUILLETTE.....	Caribou
GEORGE BOSS PAUL.....	Dover, N. H.

ADVANCED DEGREES

MASTER OF ARTS

MARTIN ANDREW NORGDARD [A. B., Saint Olaf College, 1904] (Mathematics). Orono
IRVING OSGOOD SCOTT, [B. S., Dartmouth College, 1910] (Education)..... Hinckley

MASTER SCIENCE

CLARENCE WALLACE BARBER, [B. S., University of Maine, 1912] (Biology)... Orono

MASTER OF LAWS

MARK ALTON BARWISE, [LL. B., University of Maine, 1913]..... Bangor
ARTHUR JEAN BAPTISTE CARTIER, [LL. B., University of Maine, 1909].... Biddeford
WALTER HERBERT FOSTER, [LL. B., University of Maine, 1905].... Boston, Mass.
ERNEST LINWOOD SEAVEY, [LL. B., University of Maine, 1908].... San Diego, Cal.

CHEMICAL ENGINEER

ALBERT DAVIS CONLEY, [B. S., University of Maine, 1911]..... Passaic, N. J.

CIVIL ENGINEER

RAYMOND EARLE DAVIS, [B. S., University of Maine, 1911]..... Urbana, Ill.
CLARENCE McLELLAN WESTON, [B. S., University of Maine, 1908]. New York, N. Y.

HONORARY DEGREES

DOCTOR OF LAWS

THOMAS RILEY MARSHALL, [A. B., Wabash College, 1873; A. M., 1876; LL.D.,
1909; also LL. D., Notre Dame University, 1910; University of Penn-
sylvania, 1911] Vice President of the United States..... Washington, D. C.
HENRY CLINTON MORRISON, [A. B., Dartmouth College, 1895; M. S., New
Hampshire College, State Superintendent of Public Instruction, Concord, N. H.

CERTIFICATES

HOME ECONOMICS

EDITH FLINT.....	Baldwin
ETHEL ELIZABETH HARRIGAN.....	Bangor
RUTH JACKMAN.....	Vanceboro
MARY FREY LEONARD.....	Lewiston

SCHOOL COURSE IN AGRICULTURE

ALDEN WESTERN BRADFORD.....	Sebec Station
JOHN CARROLL HAWKES.....	South Windham
JOSEPH HENRY JOHNSON.....	Waltham, Mass.
HAROLD JOSEPH SHAW.....	Sanford
ALFRED HENRY SIDELINGER.....	Nobleboro
SYLVANUS COBB SMALL.....	Charleston
JONES HAROLD TALBOT.....	East Machias
FLOYD VERRILL.....	Brunswick
LINTON BARTLETT WARD.....	Shirley, Mass.
CARROLL EUGENE WILCOX.....	Morgan, Vt.
CLYDE SUMNER WILCOX.....	Morgan, Vt.





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